

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Andreas Baltatzis on December 6, 2010.
3. The application has been amended as follows:

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#### TITLE

The title was changed to: --Electrode-Bearing Guide and Cochlear Implant--.

#### CLAIMS

##### Claim 25

On line 2, the first occurrence of the word "the" was replaced by the word --a--.

##### Claim 26

On line 2, the term --mm-- was inserted after the number "0.3".

Claim 27

On line 3, the term  $-\mu\text{m}$ —was inserted after the number “0.5”.

Claim 31

On line 2, the word “conduct” was replaced by the word –  
conducting--.

Claim 32

On line 1, the phrase –basic cell—was inserted after the word  
“each”.

Non-elected claims 35-40 were canceled.

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4. The following is an examiner’s statement of reasons for allowance: the prior art does not disclose an apparatus for a cochlear implant comprising a substantially flat electrode carrier with at least two overlapping basic cells, the basic cells comprising a base layer of electrically insulating material and a layer of electrically conducting material arranged on the base layer.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kennedy J. Schaetzle whose telephone number is 571 272-4954. The examiner can normally be reached on M-F from 9:30 -6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Layno can be reached on M-F at 571 272-4949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kennedy J. Schaetzle/  
Primary Examiner, Art Unit 3766

KJS  
December 5, 2010